

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 4:05-CV-40014-FDS

SANDRA S. KATZ,)
Plaintiff,)
)
v.)
)
MATTHEW DENN, INSURANCE)
COMMISSIONER OF THE STATE OF DELAWARE)
AS RECEIVER OF NATIONAL HERITAGE)
LIFE INSURANCE COMPANY IN LIQUIDATION)
Defendant and Third Party Plaintiff)
)
v.)
)
FEDERAL DEPOSIT INSURANCE CORPORATION,)
UNITED STATES OF AMERICA, E. PERRY KING,)
ALAN MASON, ALAN MASON LEGAL)
SERVICES, P.C., ALAN MASON LEGAL SERVICES,)
INC., ALAN MASON D/B/A ALAN MASON LEGAL)
SERVICES, P.C., ALAN MASON D/B/A ALAN)
MASON LEGAL SERVICES, INC., AND ALAN)
MASON LEGAL SERVICES, P.C. D/B/A ALAN)
MASON LEGAL SERVICES, INC.,)
Third Party Defendants.)
)
v.)
E. PERRY KING AND MANSOUR GAVAL,)
Fourth Party Defendants.)

**MATTHEW DENN'S, INSURANCE COMMISSIONER OF THE STATE OF
DELAWARE, UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
OPPOSITION TO MOTION FOR SUMMARY JUDGMENT**

Now comes the Defendant Matthew Denn, Insurance Commissioner of the State of Delaware, as Receiver of National Heritage Life Insurance Company in Liquidation ("NHL"), and respectfully requests this Honorable Court to grant an extension of time to file

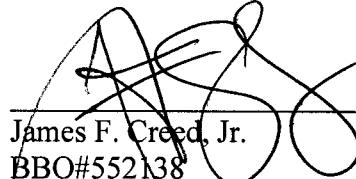
its Opposition to the Plaintiff's Motion for Summary Judgment.

As grounds therefore, NHL states that additional time is necessary to respond to the substantive nature of the allegations in the Motion for Summary Judgment. The Motion for Summary Judgment was served on December 23, 2005. Legal counsel for the Plaintiff has agreed to an extension of time for the filing of NHL's opposition. The extension was agreed upon through January 20, 2006.

Counsel for the Plaintiff Sandra S. Katz does not oppose this motion nor any extension of time.

Respectfully submitted,
Matthew Denn,
Insurance Commissioner of
the State of Delaware As
Receiver of National Heritage
Life Insurance Company in

By his attorneys,



James F. Creed, Jr.
BBO#552138
Sara D. Trupe Cloherty
BBO#632528
CREED & FORMICA
1329 Highland Avenue
Needham, MA 02492
(781) 449-4600

Dated: 1/11/06

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused a true copy of the within document to be served by first class mail to:

Robert B. Gibbons, Esq.
Christopher T. Meier, Esq.
Mirick, O'Connell, DeMallie & Lougee, LLP
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Worcester, MA 01608

Anita Johnson
Assistant U.S. Attorney
U.S. Attorney's Office
Moakley United States Courthouse
One Courthouse Way – Suite 9200
Boston, MA 02210

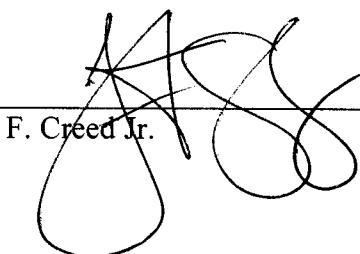
Paul D. Maggioni, Jr.
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Dated: 1/11/06

James F. Creed Jr.

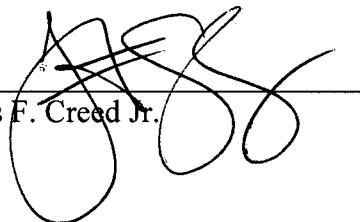


LOCAL RULE 7.1 CONFERENCE

I hereby certify that on January 10, 2006 that, at my direction, my associate Sara D. Trupe Cloherty, conferred with the following counsel regarding the Motion for Extension of Time to File Opposition, in an effort in good faith to resolve or narrow the issues presented therein: Christopher Meier, Esq., and that she has reported to me that he did not oppose any extension of time to file the opposition by NHL.

Dated: 1/11/06

James F. Creed Jr.

A handwritten signature in black ink, appearing to read "James F. Creed Jr.", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'J' at the beginning.